

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 03/25/2009 has been considered by the examiner.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gary R. Edwards on 08/03/2009.

The application has been amended as follows:

3. Claim 52, line 1, change the phrase "The information system of claim 50" to --The information system of claim 51--;
4. Claim 53, line 1, change the phrase "The information system of claim 48" to --The information system of claim 51--.

REASONS FOR ALLOWANCE

5. Claims 3, 6-8, 10, 17, and 45-54 are allowed.

6. The following is an examiner's statement of reasons for allowance: none of the prior art either alone or in combination disclose or teach of the claimed combination of limitations to warrant a rejection under 35 USC 102 or 103. Specifically, in reference to independent claim 3, none of the prior art either alone or in combination disclose or teach of the claimed information system specifically including, as the distinguishing feature(s) in combination with the other limitations the claimed "optical scanning device detects light which is diffracted by the holographic element before it impinges on the eye, and does not enter the eye."

7. Specifically, in reference to independent claim 17, none of the prior art either alone or in combination disclose or teach of the claimed information system specifically including, as the distinguishing feature(s) in combination with the other limitations the claimed "holographic element comprises at least one optical marking, whose light reflection characteristics can be used by the information system by means of a photodetector for calibrating a projection angle of at least one of the optical projection device and a light guiding device."

8. Specifically, in reference to independent claim 46, none of the prior art either alone or in combination disclose or teach of the claimed information system specifically including, as the distinguishing feature(s) in combination with the other limitations the claimed "optical projection device which projects light into the eye via the holographic element."

9. Specifically, in reference to independent claim 51, none of the prior art either alone or in combination disclose or teach of the claimed information system specifically including, as the distinguishing feature(s) in combination with the other limitations the claimed "holographic element diffracts wavelengths of the projected light."

10. Specifically, in reference to independent claim 54, none of the prior art either alone or in combination disclose or teach of the claimed information system specifically including, as the distinguishing feature(s) in combination with the other limitations the claimed “diffraction corresponds to a reflection on a respective conical surface which is rotationally symmetrical about the axis of rotation of the ellipsoid and is perpendicular with respect to the ellipsoid at the site of the diffraction.”

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAWAYNE A. PINKNEY whose telephone number is (571)270-1305. The examiner can normally be reached on Monday-Thurs. 8 a.m.- 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on (571) 272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott J. Sugarman/
Primary Examiner, Art Unit 2873

/DaWayne A Pinkney/
Examiner, Art Unit 2873
07/25/2009